

Practitioner's Docket No.: 892\_019

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Akira WAKABAYASHI

Ser. No.: 09/908,945

Group Art Unit: 3641

Filed: July 19, 2001

Examiner: James S. Bergin

Confirmation No.: 1922

For: ONLINE TRADING SYSTEM


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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Janet M. Stevens

## REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Sir:

The following remarks are in response to the Office Action mailed August 9, 2004.

Claims 3-6, 10 and 11 are pending herein.

1. Applicant notes that the Examiner has withdrawn claims 6 and 11 from further consideration. Applicant thanks the Examiner for the courtesy of including claim 4 in the Office Action. However, Applicant asserts that claim 3 is generic to all species and, therefore, claims 6 and 11 have been maintained.

2. Applicant notes that the Examiner has made the action final. However the claim amendments submitted with the Amendment filed on December 3, 2003 were to overcome the Examiner's §112 rejection, not the then-asserted prior art rejection. Accordingly, Applicant respectfully submits that the new rejection should have been non-final. That is, Applicant's Amendment did not necessitate the new grounds of rejection.

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**BURR & BROWN**  
*Intellectual Property Practice*

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Syracuse, New York 13202

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**OFFICIAL BUSINESS - AFTER FINAL REJECTION**

Date: December 3, 2004

To: Examiner: James S. Bergin  
Art Unit: 3641

Fax No.: 703-872-9306

From: Stephen P. Burr

Subject: U.S. Application Ser. No. 09/908,945  
Filed: July 19, 2001  
Conf. No.: 1922  
Title: ONLINE TRADING SYSTEM

Our Ref.: 892\_019

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• Request for Reconsideration (pages 1-5)	<u>5</u> pages
• This Cover Sheet	<u>1</u> page

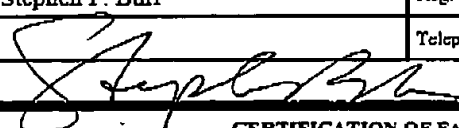
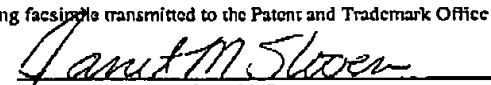
  
Janet M. Stevens

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**BURR & BROWN**

<b>TRANSMITTAL FORM</b> (Provisions of 37 CFR 1.136 Apply)						
Application Number	09/908,945		Filing Date	July 19, 2001		
Group Art Unit	3641		Examiner Name	James S. Bergin		
Confirmation No.	1922		Attorney Docket No.	892_019		
Inventor(s)	Akira WAKABAYASHI					
Invention:	ONLINE TRADING SYSTEM					
Transmitted herewith is a Request for Reconsideration in the above-identified application. The fee has been calculated as follows:						
<b>CLAIMS</b>						
(1)	(2) Claims Remaining	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	6	MINUS	20	0	\$18.00	\$00.00
INDEP. CLAIMS	1	MINUS	3	0	\$88.00	\$00.00
<b>TOTAL ADDITIONAL FEE</b>						\$00.00
<b>EXTENSION OF TERM</b>						
<input checked="" type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.						
<input type="checkbox"/> This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:						
<input checked="" type="checkbox"/> One Month (37 CFR 1.17(a)(1)) ..... \$110.00					110.00	
<input type="checkbox"/> Two Month (37 CFR 1.17(a)(2)) ..... \$430.00						
<input type="checkbox"/> Three Month (37 CFR 1.17(a)(3)) ..... \$980.00						
<b>TOTAL FEES DUE</b>						110.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:						
<b>FEE PAYMENT</b>						
<input type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of \$ is enclosed. <input checked="" type="checkbox"/> Charge Deposit Account 50-1446 in the amount of \$110.00. Enclosed is a duplicate copy of this sheet. <input checked="" type="checkbox"/> Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.						
<b>Submitted By:</b>						
Name (Print Type)	Stephen P. Burr		Reg. No.	32,970	Customer No.	025191
			Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature					Date	December 3, 2004
<b>CERTIFICATION OF FACSIMILE TRANSMISSION</b>						
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**TOTAL FEES DUE**

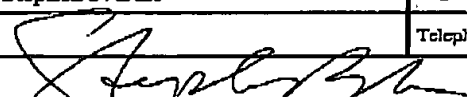
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